

REMARKS

Entry of this Request for Reconsideration into the record, reconsideration and withdrawal of all grounds of rejection are respectfully requested in light of the following remarks. Claims 1-21 remain pending herein.

At the outset, Applicants note with appreciation the indication that claims 7 and 9 have been allowed.

Claims 1-6, 8, 10-11 and 13-15 stand rejected under 35 U.S.C. §102(e) over Limberg et al. (U.S. 2002/0051087 A1, hereinafter "Limberg"). Applicants respectfully traverse this ground of rejection.

First, Applicants note that the Examiner is relying on priority of Limberg's provisional application 60/217,495 filed on July 11, 2000 to antedate the Applicants' May 1, 2001 filing date because the published application was filed on Jul. 11, 2001, approximately two months after the instant application was filed. Applicants challenge the Examiner to show whether or not the provisional Application does in fact provide priority support for the U.S. Patent Application Publication U.S. 2002/0051087 A1, for Applicants do not believe that they are allowed at this time to examine the file wrapper of Limberg, as this application is still undergoing prosecution.

Second, Applicants have carefully reviewed Fig. 5, paragraphs 0054 and 0098-0100 and it is respectfully submitted that Limberg is completely silent with regard to the recitation of providing a substantially echo-free digital data stream at an output thereof. There is no description in the cited passages with regard to the data stream being substantially echo-free. At best, paragraph 0054 discloses a subtractor 34 that takes a difference between two FIR filters by subtracting from a minuend input of first FIR filter

33 the subtrahend of a second FIR filter 35. There is no disclosure that a substantially echo-free digital data stream will be output from subtractor 34.

For at least the above reasons, it is respectfully submitted that none of the instant claims are anticipated by Limberg. Nor would such claims have been obvious at the time of invention in view of Limberg. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claim 12 stands rejected under 35 U.S.C. §103(a) over Limberg in view of Koo et al. (U.S. 5,283,650, hereinafter "Koo"). Applicants respectfully submit that claim 12 is believed to be allowable at least for its dependence from claim 1, which is believed to be allowable for the above reasons stated in the traversal of the rejection under 35 U.S.C. §102(e). For at least this reason, reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claims 16-21 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1 and 9 of co-pending Application 09/848,061 in view of Limberg. Applicants respectfully traverse this ground of rejection.

First, as it is apparent that the Examiner is relying on priority of a provisional application filed by Limberg in an attempt to establish prior art against the instant application, which has a U.S. filing date earlier than application 09/903,079 filed by Limberg, we challenge the Examiner to provide proof that the provisional application 60/217,495 filed July 11, 2000 provides priority support for Fig. 5 and paragraph 0054 of the Patent Application Publication US 2002/0051087.

Applicants have carefully reviewed claims 1 and 9 of our co-pending application 09/848,061 and respectfully submit that these claims do not recite that a "substantially

echo-free digital data stream" is provided, nor does Limberg in Fig. 5, page 6, paragraph 0054 disclose that a substantially echo-free digital data stream is furnished to a digital television receiver. All that an artisan can glean from that portion of Limberg is that an analog signal is converted to digital, subjected to band-shaped filtering, then subject to adaptive filtering for channel equalization and echo-cancellation. The rest of the paragraph describes the adaptive filtering as utilizing a subtractor 34 that subtracts from a minuend input by first FIR filter 33 a subtrahend input by second FIR filter 35. Limberg says nothing with regard to receiving a substantially echo-free data stream, nor does it disclose or suggest furnishing the substantially echo-free digital data stream to a DTV. As claims 1 and 9 of the co-pending application do not recite that a substantially echo-free digital data stream is provided after processing a digital data stream, nor that such a substantially echo-free digital stream is furnished to a DTV, and Limberg also fails in this regard, it cannot be said that instant claim 16 is obvious over claims 1 and 9 of the co-pending application in view of Limberg.

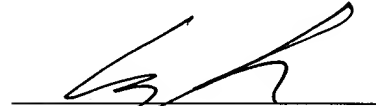
In addition, instant claims 17 and 18 are allowable at least for the reason that their base claim is allowable. Claims 19, 20, 21 are also allowable over claims 1 and 9 of the co-pending application in view of Limberg, as they all recite a substantially echo-free digital data stream that is not recited in the claims of the co-pending application or that of Limberg. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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